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HOUSE BILL 2088 By
Newton

SENATE BILL 2356
By Miller J

AN ACT to amend Tennessee Code Annotated, Title 55, Chapter 50, relative to the issuance of driver licenses.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 55-50-102, is amended by adding a new subdivision thereto, as follows:

() "Resident" means a person who has a permanent home or abode in Tennessee to which, whenever such person is absent, he or she has the intention of returning. For the purposes of this chapter, there is a rebuttable presumption that the following person is a resident:

(A) Any person who accepts employment or engages in any trade, profession, or occupation in Tennessee or enters his or her children to be educated in the private or public schools of Tennessee within ten (10) days after the commencement of such employment or education;

(B) Any person who, except for infrequent, brief absences, has been present in the state for thirty (30) or more days; or

(C) Any military personnel on active duty who is stationed in Tennessee or whose domicile is in Tennessee;

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provided, however, that no person shall be considered a resident for purposes of this chapter unless such person is either a United States citizen or an alien with legal authorization from the U.S. Immigration and Naturalization Service.

SECTION 2. Tennessee Code Annotated, Section 55-50-102(18), is amended by deleting such subdivision in its entirety and by substituting instead the following:

(18) "Driver license" means a license issued by the department to a resident which authorizes the resident to operate a motor vehicle on the highways;

SECTION 3. Tennessee Code Annotated, Section 55-50-321(b), is amended by deleting the language "proof of age and identification" wherever it may be found and by substituting instead the language "proof of age, of residence and identification".

SECTION 4. Tennessee Code Annotated, Section 55-50-321, is amended by adding a new subsection thereto:

() The department shall not issue a driver license to any person who is not a resident of the state of Tennessee.

SECTION 5. This act shall take effect July 1, 1998, the public welfare requiring it.